FACT SHEET FOR STATE WASTE DISCHARGE PERMIT ST 6171
FOSTER FARMS – KELSO PLANT

July 2006

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INTRODUCTION

This fact sheet is a companion document to the draft State Waste Discharge Permit No. ST 6171. The Department of Ecology (the Department) is proposing to issue this permit, which will allow discharge of wastewater to the Three Rivers Regional Wastewater Plant (formerly known as the Cowlitz Water Pollution Control (CWPC) Treatment Plant). This fact sheet explains the nature of the proposed discharge, the Department's decisions on limiting the pollutants in the wastewater, and the regulatory and technical bases for those decisions.

Washington State law (RCW 90.48.080 and 90.48.160) requires that a permit be issued before discharge of wastewater to waters of the state is allowed. This statute includes commercial or industrial discharges to sewerage systems operated by municipalities or public entities which discharge into public waters of the state. Regulations adopted by the state include procedures for issuing permits and establish requirements which are to be included in the permit (Chapter 173-216 Washington Administrative Code [WAC]).

This fact sheet and draft permit are available for review by interested persons as described in Appendix A—Public Involvement Information.

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in these reviews have been corrected before going to public notice. After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of the Department's response. The fact sheet will not be revised. Changes to the permit will be addressed in Appendix C—Response to Comments.

GENERAL INFORMATION	
Applicant	Foster Poultry Farms
Facility Name and Address	Foster Farms – Kelso Plant 1700 S 13th Avenue Kelso, WA 98626
Type of Facility:	Poultry slaughter and processing (SIC Code 2015)
Facility Discharge Location	Latitude: 46° 07' 32.5" N Longitude: 122° 53' 59.5" W
Treatment Plant Receiving Discharge	Three Rivers Regional Wastewater Plant 467 Fibre Way, Longview, WA 98632
Contact at Facility	Chris Carter, Plant Manager (360) 575-4900
Responsible Official	Randall Boyce, Vice President and General Counsel 1700 S 13th Avenue Kelso, WA 98626 Tel: (360) 575-4900 Fax: (360) 575-4948

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

Foster Farms Kelso Plant is located on the west side of the Cowlitz River in Kelso, Washington and is subject to the categorical pretreatment standards listed in 40 CFR 432.16, Simple Slaughterhouse subcategory. This facility discharges to the Three Rivers Regional Wastewater Plant (TRRWP).

History

Foster Farms Kelso Plant began operation in April 1998.

INDUSTRIAL PROCESSES

Foster Farms operates a 110,000 square foot poultry slaughter and processing facility on a 21 acre site in Kelso, Washington. Foster Farms Kelso Plant is designed to process up to 189,000 chickens per day. Currently, Foster Farms is averaging slightly less than 160,000 birds per day. Through increased efficiencies, production might increase slightly, to around 162,000 birds per day. Fresh and frozen, whole and cut packaged chicken currently averages about 662,000 pounds per day.

The facility operates an average of 5.5 days per week, year round. A normal work week is 24-hour operation, Monday through Friday, with two processing shifts and a cleanup shift each day. One or two processing shifts may also be run on Saturday, based on demand. A maintenance shift is run on either Saturday or Sunday. The plant employs approximately 800 workers.

Foster Farms used an average of 0.75 million gallons of water per day (MGD) during the last permit cycle. Most of this water is directly used for chicken processing. Plant cleanup, condensate, non-contact cooling water, and domestic sanitation are the other uses. Additionally, Foster Farms needs to wash out their truck trailers. This activity was previously conducted in the parking lot, but technically this wastewater is classified as process wastewater, so disposal to ground or surface water is not allowable. Truck washing now occurs at the live bird holding station on Sundays. This area is covered and bermed, and all wash water is routed to the treatment system, where it is treated prior to discharge through their outfall.

At the wastewater treatment plant, flocculent and polymer are typically added to enhance removal efficiency, and caustic soda is added for pH adjustment.

TREATMENT PROCESSES

Foster Farms' onsite pretreatment system is designed to separate solid waste streams from wastewater, then treat the wastewater to reduce the loading of pollutants to the Three Rivers Regional WWTP. Solid waste streams are separated via screens and transported via screw conveyors to tanks or directly to trucks for transport. After separation of solid materials, wastewater from all process operations is routed to an equalization tank. From here, the wastewater is metered through a flocculator and ozonator, then through the dissolved air floatation thickener (DAF). DAF effluent is discharged to the sewer system, while the thickened skimmings are loaded into a truck for composting. Domestic wastewater enters the sewer system separately, and before the outfall monitoring station.

Since the processing plant became operational and the first permit was issued, Foster Farms has made several improvements to their wastewater collection, treatment, and monitoring systems. The sampling point was changed from the DAF effluent to the final onsite manhole, which allows sampling of all wastewater, both domestic and process. Sampling frequency for BOD and TSS was then increased from once to three times per week, and BOD is now analyzed and reported as total BOD_5 rather than carbonaceous only. These items were included in the permit modification in March 2000. In addition, Foster Farms installed a 350,000 gallon equalization tank, which allows a steady and well-mixed flow into the DAF, and has taken steps to reduce water use.

In March 2006, the Department approved an Engineering Report which describes work to remove the flow restricting side sewer conduit before discharging to the sanitary sewer system. This work was expected to be completed by the end of summer of 2006. However, due to construction complications, this work has been indefinitely postponed. Therefore, the 850 gpm flow restriction limit shall be retained in this permit.

Foster Farms may have future plans of expanding operations by building an on-site rendering plant to process some of their blood and solid waste. If this plan becomes more probable and begins to materialize, an Engineering Report must be submitted to the Department regarding impacts to the facility's discharge to the Publicly Owned Treatment Works (POTW) and review any pretreatment options that may be required. The Department reserves the right to modify this permit to incorporate discharge requirements for the new rendering plant operations.

At current discharge levels, Foster Farms uses roughly 12.3 percent of the receiving POTW's BOD5 capacity; 4.9 percent of the receiving POTW's TSS capacity; and 4.6 percent of the receiving POTWs hydraulic flow capacity. Figures 1, 2, and 3 show that Foster Farms' BOD5 wasteload has been decreasing somewhat while flow and TSS seem to be increasing within the past 1-2 years.

Figure 1. Average Monthly Flowrate (MGD) vs. Time.

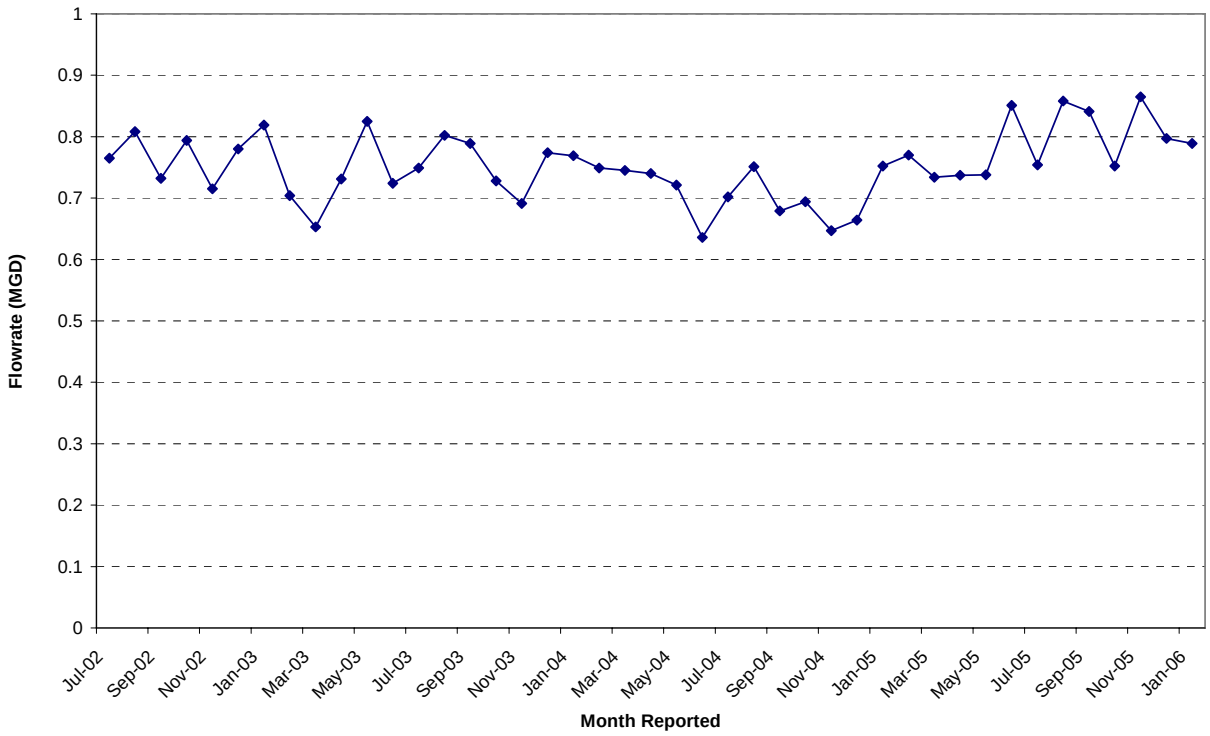


Figure 2. Average Monthly TSS Wasteload (lbs/day) vs. Time

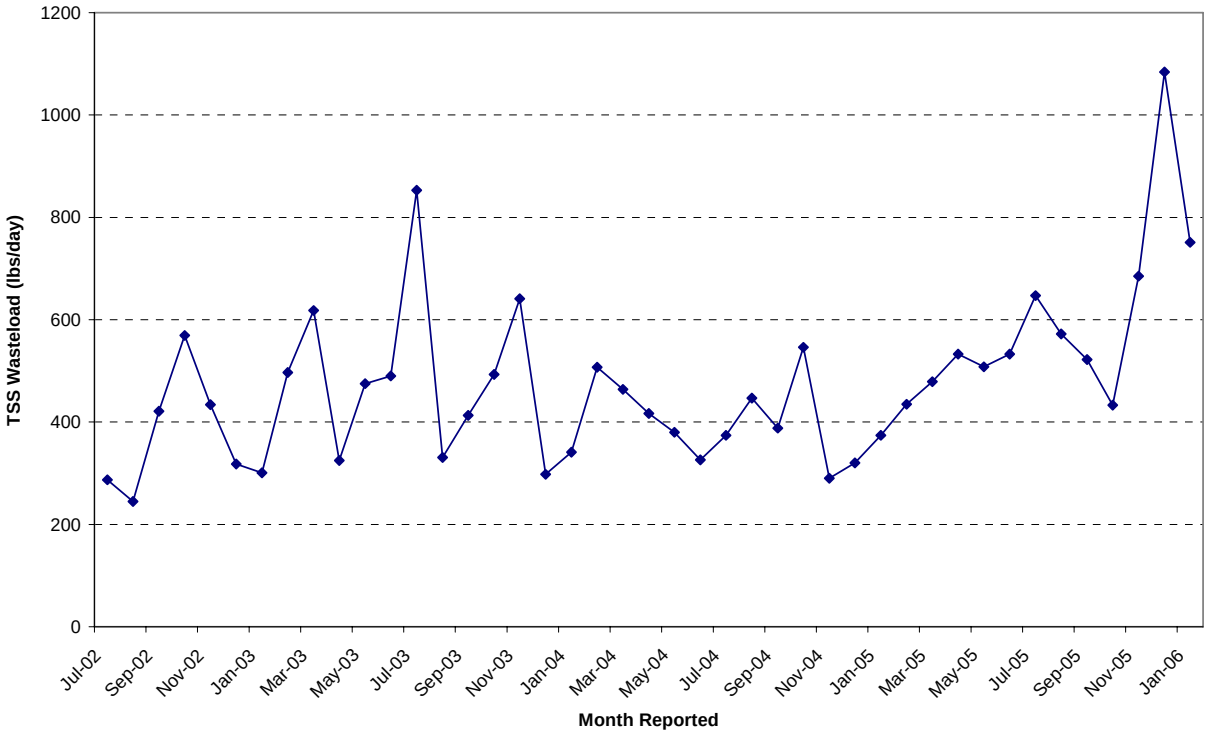
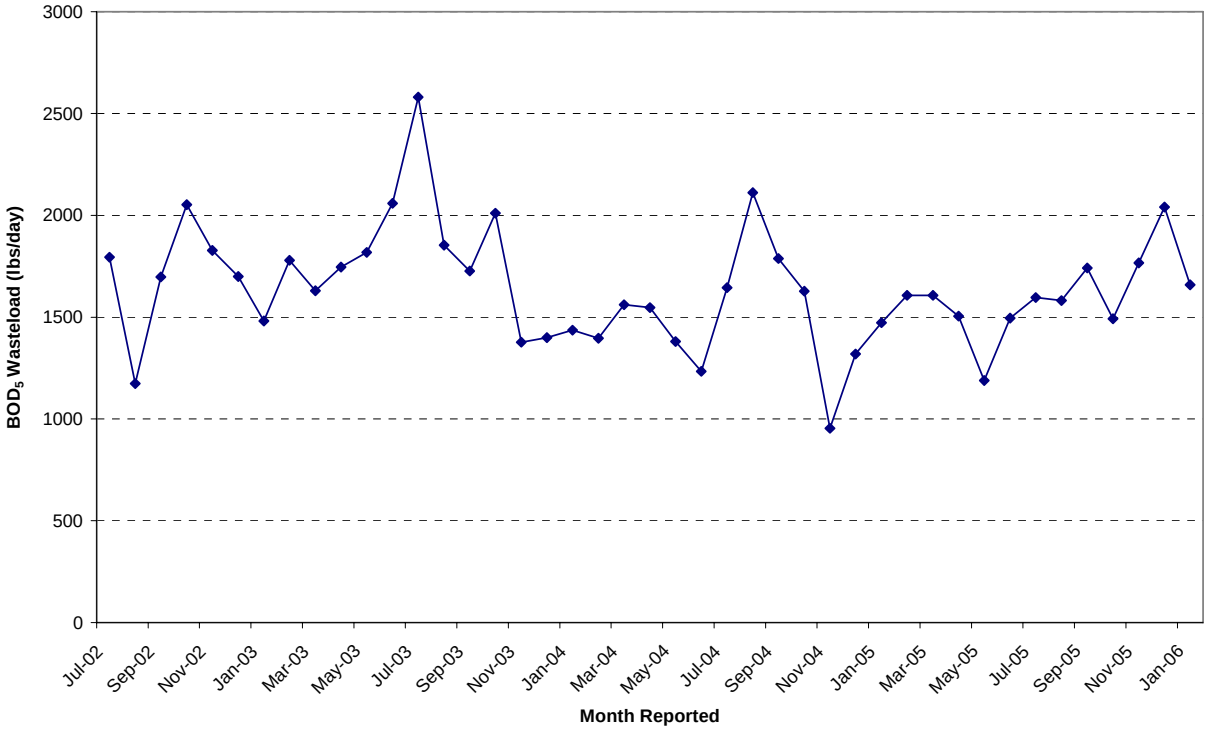


Figure 3. Average Monthly BOD_5 Wasteload (lbs/day) vs. Time.



PERMIT STATUS

The facility's first pretreatment discharge permit was issued on August 20, 1998, which was modified on March 8, 2000, and a second pretreatment discharge permit issued on May 29, 2002.

Ecology received a state waste discharge permit application from Foster Farms originally on February 15, 2005. The application was revised and resubmitted on February 1, 2006. This application was accepted as being complete on February 10, 2006.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

During the duration of the previous permit (May 2002 – March 2006), the Permittee's compliance history has improved in comparison to the compliance history with the original permit (August 1998 – May 2002). The incidents of noncompliance are shown in the table below:

Parameter	**Month**	**Value Reported**	**Permit Limit**
Flow	• November 2005	• 2.0 MGD Maximum Daily (MXD)	• 1.5 MGD MXD

Parameter	Month	Value Reported	Permit Limit
BOD	• October 2002 • June 2003 • July 2003 • October 2003 • December 2005	• 261 mg/L Average Monthly (AVM) • 283 mg/L AVM • 6, 888 lbs/day MXD 848 mg/L MXD 333 mg/L AVM • 579 mg/L MXD • 6, 807 lbs/day MXD 674 mg/L MXD	• 260 mg/L AVM • 260 mg/L AVM • 5,600 lbs/day MXD 450 mg/L MXD 260 mg/L AVM • 450 mg/L MXD • 5,600 lbs/day MXD 450 mg/L MXD
TSS	• July 2003 • December 2005	• 6,758 lbs/day MXD 832 mg/L MXD • 5,383 lbs/day MXD 533 mg/L MXD	• 4,400 lbs/day MXD 350 mg/L MXD • 4,400 lbs/day MXD 350 mg/L MXD

WASTEWATER CHARACTERIZATION

The concentration of pollutants in the discharge was reported in the permit application and in discharge monitoring reports (DMR's). The proposed wastewater discharge is characterized for the following parameters, as per DMR's from July 2002, through March 2006:

Parameter	Concentration Range and Average
Flow	max daily range: 1.0-2.0 MGD; average: 0.75 MGD
pH	range: 5.7-7.7 s.u.
5-Day Biochemical Oxygen Demand (BOD_5)	max daily range: 6,888-1,486 lbs/day; average: 1,638 lbs/day max daily range: 848-215 mg/L; average: 206 mg/L
Total Suspended Solids (TSS)	max daily range: 6,758-331 lbs/day; average: 474 lbs/day max daily range: 832-52 mg/L; average: 57 mg/L
Oil & Grease	max daily range: 5.6-92 mg/L; average: 10.9 mg/L
Temperature	max daily range: 22-23 °C
Ammonia (as Nitrogen)	max daily range: 5-27 mg/L; average: 13 mg/L max daily range: 15-214 lbs/day; average: 101 lbs/day

SEPA COMPLIANCE

There are no known current State Environmental Policy Act (SEPA) mitigation actions at this time.

PROPOSED PERMIT LIMITATIONS

State regulations require that limitations set forth in a waste discharge permit must be based on the technology available to treat the pollutants (technology-based) or be based on the effects of the pollutants

to the POTW (local limits). Wastewater must be treated using all known, available, and reasonable treatment (AKART) and not interfere with the operation of the POTW.

The minimum requirements to demonstrate compliance with the AKART standard and specific design criteria for this facility were determined in the referenced engineering report *Brown and Caldwell, 1998*.

The more stringent of the local limits-based or technology-based limits are applied to each of the parameters of concern. Each of these types of limits is described in more detail below.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

All waste discharge permits issued by the Department must specify conditions requiring available and reasonable methods of prevention, control, and treatment of discharges to waters of the state (WAC 173-216-110). Existing federal categorical pretreatment limitations for this facility are found under 40 CFR Part 432, Subpart A - Simple Slaughterhouse subcategory and subpart K – Poultry First Processing subcategory. There are no pretreatment standards specified in 40 CFR Part 432 for existing sources at this time.

Foster Farms is providing pretreatment to their wastewater and so long as the pretreatment system is operated and maintained as designed and described in the engineering report (Brown and Caldwell, 1998 and amendments), then it is understood that they are meeting the requirements of all known, available, and reasonable methods of treatment (AKART). Specific pollutants of concern from Foster Farms include BOD, TSS, oil and grease, and pH. These pollutant concentrations usually meet permit limits if the flow rate and production capacities are not exceeded and the pretreatment system is operating at designed efficiency.

EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS

In order to protect the Three Rivers Regional Wastewater Treatment Plant from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels, limitations for certain parameters are necessary. These limitations are based on local limits established by the Three Rivers Regional Wastewater Plant (TRRWP) and the City of Kelso. Applicable local limits for this discharge include the following:

Jurisdiction	**Parameter**	**Limit**	**Comments**
CSOB	BOD	250 mg/L*	If exceeded, a high strength fee is applied
CSOB	TSS	250 mg/L*	If exceeded, a high strength fee is applied
CSOB	pH	5.5-9 std. Units*	
City of Kelso	pH	6-9 std. units	
City of Kelso	BOD	<30 pounds/day <300 mg/L	Permission is needed to exceed.
City of Kelso	TSS	<30 pounds/day <350 mg/L	Permission is needed to exceed.

* TRRWP proposed Pretreatment Limits

COMPARISON OF LIMITATIONS WITH THE PREVIOUS PERMIT ISSUED MAY 29, 2002

The total daily flow limit of 1.5 MGD is retained. The discharge rate limit of 850 gallons per minute (gpm) is removed from this permit since upgrades were made to their conveyance system which removes the flow restricting piping. The 850 gpm limit was applied at the equalization tank, where an inline flow meter and valve restricts the flow through the treatment system. No other changes to the numerical limitations were proposed.

Parameter Limits	**Previous Limits**	**Proposed Limits**
Flow: MGD gpm	1.5 850*	1.5 850*
BOD, mg/L	260/450 MA/DM	260/450 MA/DM
BOD, pounds/day	3,300/5,600 MA/DM	3,300/5,600 MA/DM
TSS, mg/L	220/350 MA/DM	220/350 MA/DM
TSS, pounds/day	2,800/4,400 MA/DM	2,800/4,400 MA/DM
Oil and Grease, mg/L	100/150 MA/DM	100/150 MA/DM
pH, standard units	5.5 to 9.0	5.5 to 9.0

* - Allowable rate from the equalization tank.
MA/DM = monthly average limit/daily maximum limit.

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly, and that effluent limitations are being achieved (WAC 173-216-110). No changes were made to monitoring requirements contained in the previous permit. Flow measurement and sample collection both occur at the last sewer manhole on Foster Farms property, which is on the street side (west) of the entry booth at Foster Farms.

The monitoring schedule is detailed in the proposed permit under Condition S2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring. Monitoring frequencies will remain unchanged from the previous permit.

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The conditions of S3. are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-216-110 and 40 CFR 403.12 (e),(g), and (h)).

OPERATIONS AND MAINTENANCE

The proposed permit contains condition S4. as authorized under Chapter 173-240-150 WAC and Chapter 173-216-110 WAC. It is included to ensure proper operation and regular maintenance of equipment, and to ensure that adequate safeguards are taken so that constructed facilities are used to their optimum potential in terms of pollutant capture and treatment. The proposed permit requires submission of an updated O&M manual for the entire wastewater system.

PROHIBITED DISCHARGES

Certain pollutants are prohibited from being discharged to the POTW. These include substances which cause pass-through or interference, pollutants which may cause damage to the POTW or harm to the POTW workers (Chapter 173-216 WAC) and the discharge of designated dangerous wastes not authorized by this permit (Chapter 173-303 WAC).

DILUTION PROHIBITED

The Permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

SOLID WASTE PLAN

The Department has determined that the Permittee has a potential to cause pollution of the waters of the state from leachate of solid waste.

This proposed permit requires, under the authority of Revised Code of Washington (RCW) 90.48.080, that the Permittee update the solid waste plan designed to prevent solid waste from causing pollution of the waters of the state and submit it to the Department.

NON-ROUTINE AND UNANTICIPATED DISCHARGES

Occasionally, this facility may generate wastewater which is not characterized in their permit application because it is not a routine discharge and was not anticipated at the time of application. These typically are waters used to pressure test storage tanks or fire water systems or leaks from drinking water systems. These are typically clean waste waters but may be contaminated with pollutants. The permit contains an authorization for non-routine and unanticipated discharges. The permit requires a characterization of these waste waters for pollutants and examination of the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and opportunities for reuse, the Department may authorize a direct discharge to the municipality, require the wastewater to be placed through the facilities wastewater treatment process or require the water to be reused.

SPILL PLAN

The Department has determined that the Permittee stores a quantity of chemicals that have the potential to cause water pollution if accidentally released. The Department has the authority to require the Permittee to develop best management plans to prevent this accidental release under section 402(a)(1) of the Federal Water Pollution Control Act (FWPCA) and RCW 90.48.080.

The Permittee has developed a plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs. The proposed permit requires the Permittee to update this plan and submit it to the Department.

SLUG DISCHARGE CONTROL PLAN

The Department has determined that the Permittee has the potential for a batch discharge or a spill that could adversely effect the POTW therefore a slug discharge control plan is required (40 CFR 403.8 (f)).

GENERAL CONDITIONS

General Conditions are based directly on state laws and regulations and have been standardized for all industrial waste discharge to POTW permits issued by the Department.

Condition G1. requires responsible officials or their designated representatives to sign submittals to the Department. Condition G2. requires the Permittee to allow the Department to access the treatment system, production facility, and records related to the permit. Condition G3. specifies conditions for modifying, suspending or terminating the permit. Condition G4. requires the Permittee to apply to the Department prior to increasing or varying the discharge from the levels stated in the permit application. Condition G5. requires the Permittee to construct, modify, and operate the permitted facility in accordance with approved engineering documents. Condition G6. prohibits the Permittee from using the permit as a basis for violating any laws, statutes or regulations. Conditions G7. relate to permit renewal and transfer. Condition G8. requires the Permittee to control production or wastewater discharge in order to maintain compliance with the permit. Condition G9. prohibits the reintroduction of removed pollutants into the effluent stream for discharge. Condition G10. requires the payment of permit fees. Condition G11. describes the penalties for violating permit conditions.

PUBLIC NOTIFICATION OF NONCOMPLIANCE

A list of all industrial users which were in significant noncompliance with Pretreatment Standards or Requirements during any of the previous four quarters may be annually published by the Department in a local newspaper. Accordingly, the Permittee is apprised that noncompliance with this permit may result in publication of the noncompliance.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics. The Department proposes that the permit be issued for five years.

REFERENCES FOR TEXT AND APPENDICES

Brown and Caldwell. Engineering Report for Industrial Wastewater Treatment Process at Foster Farms Kelso, Washington Facility. Portland, OR. April 2, 1998.

Foster Farms, Inc. Industrial Wastewater Pretreatment System Modifications at Foster Farms Kelso, Washington Processing Plant – Engineering Report. December 2005.

Washington State Department of Ecology.

Laws and Regulations(http://www.ecy.wa.gov/laws-rules/index.html)

Permit and Wastewater Related Information
(http://www.ecy.wa.gov/programs/wq/wastewater/index.html

APPENDICES

APPENDIX A—PUBLIC INVOLVEMENT INFORMATION

The Department has tentatively determined to reissue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on June 20, 2005 and June 27, 2005 in The Daily News to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

The Department will publish a Public Notice of Draft (PNOD) on (date) in (name of publication) to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-216-100). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing.

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

The Department will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from the Department by telephone, (360) 407-6280 or by writing to the address listed above.

This permit was written by John Diamant, P.E.

APPENDIX B—GLOSSARY

Ammonia—Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation—The average of the measured values obtained over a calendar month's time.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD_5--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD_5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass—The intentional diversion of waste streams from any portion of the collection or treatment facility.

Categorical Pretreatment Standards—National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

Composite Sample—A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity—Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring –Uninterrupted, unless otherwise noted in the permit.

Engineering Report—A document, signed by a professional licensed engineer, which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Grab Sample—A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial User—A discharger of wastewater to the sanitary sewer which is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

Industrial Wastewater—Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Interference— A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

> Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and;
>
> Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Local Limits—Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

Maximum Daily Discharge Limitation—The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Pass-through— A discharge which exits the POTW into waters of the─State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of state water quality standards.

pH—The pH of a liquid measures its acidity or alkalinity. A pH of 7.0 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Potential Significant Industrial User--A potential significant industrial user is defined as an Industrial User which does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

a. Exceeds 0.5 percent of treatment plant design capacity criteria and discharges <25,000 gallons per day or;

b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

The Department may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

Quantitation Level (QL)-- A calculated value five times the MDL (method detection level).

Significant Industrial User (SIU)--

1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;

2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

Slug Discharge—Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate which may cause interference with the POTW.

State Waters—Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater—That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Technology-based Effluent Limit—A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Coliform Bacteria—A microbiological test which detects and enumerates the total coliform group of bacteria in water samples.

Total Dissolved Solids—That portion of total solids in water or wastewater that passes through a specific filter.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Water Quality-based Effluent Limit—A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

APPENDIX C—RESPONSE TO COMMENTS

Comments received June 19, 2006 from Keith Gardner of the Three Rivers Regional Wastewater Plant (TRRWP).

Comment 1

The TRRWP would like a composite flow proportional sample be collected by Foster Farms. A flow proportional composite sample collection assures the most representative sample would be collected from this facility. Flow proportional composite sampling is not specified tin the current or proposed permit. However, Foster Farms has already taken the initiative to collect flow proportional composite samples and has been for quite some time. The addition of this requirement in the permit will not require Foster Farms to change any of their current operations.

Response 1

The Department concurs with this recommendation and the change has been implemented into the permit. Since this is not a significant change, the Department does not find that another public review period is necessary. No changes were made to the fact sheet.